Hughes
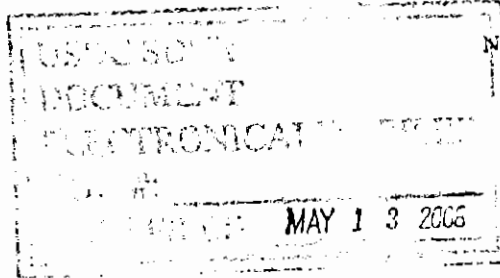# Hubbard

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May 12, 2008

<u>VIA FAX</u>

The Honorable Laura T. Swain
United States District Judge
United States District Court, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 755
New York, New York 10007

Re: *Liberty Mutual Insurance Co. v. Fairway Group Holdings
       Corp. and FW Operating Corp.*
       Case No. 07 CV 11415 (LTS)(AJP)

Dear Judge Swain:

        We represent defendants Fairway Group Holdings Corp. and FW Operating Corp.
(collectively "Fairway) in the above-titled action. We write, with the consent of opposing
counsel to request an adjournment of the status conference scheduled for Friday, May 16th at 3
p.m.

        At the initial court conference held on April 4, 2008, the parties discussed with
the Court potential motions for a stay, to compel the production of documents and for summary
judgment. Since that time, the parties have served their respective Initial Disclosures,
Defendants have served their First Request for Documents and plaintiff Liberty Mutual
Insurance Company ("Liberty") has served its response. With respect to the motion, defendants
have started the letter-writing process set forth in your Honor's rules.

        Subject to the Court's approval, the parties have agreed to the following schedule.
Liberty will produce documents in response to Fairway's First Document Request and respond to
Fairway's letter by May 17, 2008. Fairway will serve its motion for a stay, or in the alternative
for a motion to compel discovery by June 2, 2008.

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The parties also plan to discuss possible resolution of the dispute regarding reimbursement of defense costs. In light of this schedule, the parties respectfully request the court adjourn the next conference until a date convenient for the court after June 23, 2008.

Very truly yours,

Vilia B. Hayes

Enclosures

cc: Laura Foggan, Esq. (By Fax)
     Dale Hausman, Esq. (By Fax)

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The requests are granted.
The conference is adjourned to
June 27, 2008, at 11:30AM.

SO ORDERED.

_____ 5/13/08
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE